

before and after school and during the summer months for all children and youth.

**SENATE RESOLUTION 134—CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS AT CHARTER SCHOOLS ACROSS THE UNITED STATES FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION AND SUPPORTING THE IDEAS AND GOALS OF THE 10TH ANNUAL NATIONAL CHARTER SCHOOLS WEEK, MAY 3 THROUGH MAY 9, 2009**

Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. CARPER, Mr. BAYH, Mr. BURR, Mr. GREGG, and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

**S. RES. 134**

Whereas charter schools deliver high-quality education and challenge all students to reach their potential;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that respond to the needs of communities, families, and students in the United States and promote the principles of quality, choice, and innovation;

Whereas, in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 40 States and the District of Columbia have passed laws authorizing charter schools;

Whereas approximately 4,700 charter schools are now operating in 40 States and the District of Columbia, serving more than 1,400,000 students;

Whereas, during the last 14 years, Congress has provided more than \$2,478,288,000 in financial assistance to the charter school movement through facilities financing assistance and grants for planning, startup, implementation, and dissemination;

Whereas many charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools must meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools and often set higher and additional individual goals to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools give parents new freedom to choose public schools, routinely measure parental satisfaction levels, and must prove their ongoing success to parents, policymakers, and their communities;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools;

Whereas the President has called for increased Federal support for replicating and expanding high-performing charter schools to meet the dramatic demand created by the more than 365,000 children on charter school waiting lists; and

Whereas the 10th annual National Charter Schools Week is May 3 through May 9, 2009: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for their ongoing contributions to education, especially their impressive results in closing the persistent achievement gap in the United States, and improving and strengthening the public school system in the United States;

(2) supports the ideas and goals of the 10th annual National Charter Schools Week, a week-long celebration to be held May 3 through May 9, 2009, in communities throughout the United States; and

(3) encourages the people of the United States to conduct appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

**SENATE RESOLUTION 135—DESIGNATING MAY 8, 2009, AS “MILITARY SPOUSE APPRECIATION DAY”**

Mr. BURR (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

**S. RES. 135**

Whereas the month of May marks National Military Appreciation Month;

Whereas military spouses provide vital support to men and women in the Armed Forces and help to make their service to the Armed Forces possible;

Whereas military spouses have been separated from their loved ones because of deployment in support of the Global War on Terrorism and other military missions carried out by the Armed Forces;

Whereas the establishment of Military Spouse Appreciation Day would be an appropriate way to honor the spouses of members of the Armed Forces; and

Whereas May 8, 2009, would be an appropriate date to establish as “Military Spouse Appreciation Day”: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates May 8, 2009, as “Military Spouse Appreciation Day”;

(2) honors and recognizes the contributions made by spouses of members of the Armed Forces; and

(3) encourages the people of the United States to observe Military Spouse Appreciation Day to promote awareness of the contributions of spouses of members of the Armed Forces and the importance of their role in the lives of members of the Armed Forces and veterans.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1044. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

SA 1045. Ms. COLLINS (for herself and Mrs. McCASKILL) submitted an amendment intended to be proposed by her to the bill S. 454, supra.

SA 1046. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 454, supra.

SA 1047. Mr. WHITEHOUSE (for himself, Mr. FEINGOLD, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 454, supra.

SA 1048. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 454, supra.

SA 1049. Mrs. McCASKILL (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 454, supra.

SA 1050. Mrs. McCASKILL (for herself, Mr. UDALL of Colorado, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 454, supra.

SA 1051. Mrs. McCASKILL (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 454, supra.

SA 1052. Mrs. MURRAY (for herself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 454, supra; which was ordered to lie on the table.

SA 1053. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 454, supra.

SA 1054. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 454, supra; which was ordered to lie on the table.

SA 1055. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 454, supra.

SA 1056. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 454, supra; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

**SA 1044.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 59, line 25, strike “(D)” and inserting “(E)”.

On page 60, strike line 3 and insert the following:

lowing new subparagraphs (B), (C), and (D):

On page 60, line 4, insert “and submit the report required by subparagraph (D)” after “terminate such acquisition program”.

On page 61, strike like 24 and insert the following:

gram;

“(D) if the program is terminated, submit to Congress a written report setting forth—

“(i) an explanation of the reasons for terminating the program;

“(ii) the alternatives considered to address any problems in the program; and

“(iii) the course the Department plans to pursue to meet any continuing joint military requirements otherwise intended to be met by the program; and”.

**SA 1045.** Ms. COLLINS (for herself and Mrs. McCASKILL) submitted an amendment intended to be proposed by her to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 69, after line 2, add the following:  
**SEC. 207. EARNED VALUE MANAGEMENT.**

(a) ENHANCED TRACKING OF CONTRACTOR PERFORMANCE.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall review the existing guidance and, as necessary, prescribe additional guidance governing the implementation of the Earned Value Management (EVM) requirements and reporting for contracts to ensure that the Department of Defense—

(1) applies uniform EVM standards to reliably and consistently measure contract or project performance;

(2) applies such standards to establish appropriate baselines at the award of a contract or commencement of a program, whichever is earlier;

(3) ensures that personnel responsible for administering and overseeing EVM systems have the training and qualifications needed to perform this function; and

(4) has appropriate mechanisms in place to ensure that contractors establish and use approved EVM systems.

(b) **ENFORCEMENT MECHANISMS.**—For the purposes of subsection (a)(4), mechanisms to ensure that contractors establish and use approved EVM systems shall include—

(1) consideration of the quality of the contractors' EVM systems and the timeliness of the contractors' EVM reporting in any past performance evaluation for a contract that includes an EVM requirement; and

(2) increased government oversight of the cost, schedule, scope, and performance of contractors that do not have approved EVM systems in place.

**SA 1046.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 49, strike line 15 and all that follows through page 51, line 8, and insert the following:

view, including an assessment by the Director of the feasibility and advisability of establishing baselines for operating and support costs under section 2435 of title 10, United States Code.

(2) **TRANSMITTAL TO CONGRESS.**—Not later than 30 days after receiving the report required by paragraph (1), the Secretary shall transmit the report to the congressional defense committees, together with any comments on the report the Secretary considers appropriate.

(c) **TRANSFER OF PERSONNEL AND FUNCTIONS OF COST ANALYSIS IMPROVEMENT GROUP.**—The personnel and functions of the Cost Analysis Improvement Group of the Department of Defense are hereby transferred to the Director of Independent Cost Assessment under section 139d of title 10, United States Code (as so added), and shall report directly to the Director.

(d) **CONFORMING AMENDMENTS.**—

(1) Section 181(d) of title 10, United States Code, is amended by inserting “the Director of Independent Cost Assessment,” before “and the Director”.

(2) Section 2306b(i)(1)(B) of such title is amended by striking “Cost Analysis Improvement Group of the Department of Defense” and inserting “Director of Independent Cost Assessment”.

(3) Section 2366a(a)(4) of such title is amended by striking “has been submitted” and inserting “has been approved by the Director of Independent Cost Assessment”.

(4) Section 2366b(a)(1)(C) of such title is amended by striking “have been developed to execute” and inserting “have been approved by the Director of Independent Cost Assessment to provide for the execution of”.

(5) Section 2433(e)(2)(B)(iii) of such title is amended by striking “are reasonable” and inserting “have been determined by the Director of Independent Cost Assessment to be reasonable”.

(6) Subparagraph (A) of section 2434(b)(1) of such title is amended to read as follows:

“(A) be prepared or approved by the Director of Independent Cost Assessment; and”.

(7) Section 2445c(f)(3) of such title is amended by striking “are reasonable” and inserting “have been determined by the Director of Independent Cost Assessment to be reasonable”.

(e) **COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF OPERATING AND SUPPORT COSTS OF MAJOR WEAPON SYSTEMS.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on growth in operating and support costs for major weapon systems.

(2) **ELEMENTS.**—In preparing the report required by paragraph (1), the Comptroller General shall, at a minimum—

(A) identify the original estimates for operating and support costs for major weapon systems selected by the Comptroller General for purposes of the report;

(B) assess the actual operating and support costs for such major weapon systems;

(C) analyze the rate of growth for operating and support costs for such major weapon systems;

(D) for such major weapon systems that have experienced the highest rate of growth in operating and support costs, assess the factors contributing to such growth;

(E) assess measures taken by the Department of Defense to reduce operating and support costs for major weapon systems; and

(F) make such recommendations as the Comptroller General considers appropriate.

(3) **MAJOR WEAPON SYSTEM DEFINED.**—In this subsection, the term “major weapon system” has the meaning given that term in 2379(d) of title 10, United States Code.

**SA 1047.** Mr. WHITEHOUSE (for himself, Mr. FEINGOLD, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 43, between lines 20 and 21, insert the following:

(c) **TECHNOLOGICAL MATURITY STANDARDS.**—For purposes of the review and assessment conducted by the Director of Defense Research and Engineering in accordance with subsection (c) of section 139a of title 10, United States Code (as added by subsection (a)), a critical technology is considered to be mature—

(1) in the case of a major defense acquisition program that is being considered for Milestone B approval, if the technology has been demonstrated in a relevant environment; and

(2) in the case of a major defense acquisition program that is being considered for Milestone C approval, if the technology has been demonstrated in a realistic environment.

On page 45, beginning on line 9, strike “programs and require the disclosure of all such confidence levels;” and insert “programs, require that all such estimates include confidence levels compliant with such guidance, and require the disclosure of all such confidence levels (including through Selected Acquisition Reports submitted pursuant to section 2432 of this title);”.

On page 47, line 16, add at the end the following: “The report shall include an assessment of—

“(A) the extent to which each of the military departments have complied with policies, procedures, and guidance issued by the Director with regard to the preparation of cost estimates; and

“(B) the overall quality of cost estimates prepared by each of the military departments.”

On page 48, line 2, add at the end the following: “Each report submitted to Congress under this subsection shall be posted on an Internet website of the Department of Defense that is available to the public.”.

**SA 1048.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 42, line 12, insert “, in consultation with the Director of Developmental Test and Evaluation,” after “shall”.

**SA 1049.** Mrs. MCCASKILL (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 51, line 12, insert “(a) IN GENERAL.—” before “Section 181”.

On page 51, line 23, strike “of subsection (f).” and insert the following: “of subsection (f). Such input may include, but is not limited to, an assessment of the following:

“(1) Any current or projected missions or threats in the theater of operations of the commander of a combatant command that would justify a new joint military requirement.

“(2) The necessity and sufficiency of a proposed joint military requirement in terms of current and projected missions or threats.

“(3) The relative priority of a proposed joint military requirement in comparison with other joint military requirements.

“(4) The ability of partner nations in the theater of operations of the commander of a combatant command to assist in meeting the joint military requirement or to partner in using technologies developed to meet the joint military requirement.”.

(b) **COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF IMPLEMENTATION.**—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the requirements of subsection (e) of section 181 of title 10, United States Code (as amended by subsection (a)), for the Joint Requirements Oversight Council to solicit and consider input from the commanders of the combatant commands. The report shall include, at a minimum, an assessment of the extent to which the Council has effectively sought, and the commanders of the combatant commands have provided, meaningful input on proposed joint military requirements.

**SA 1050.** Mrs. MCCASKILL (for herself, Mr. UDALL of Colorado, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 59, strike line 15 and insert the following:

(d) **COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF CERTAIN WAIVERS.**—

(1) NOTICE TO COMPTROLLER GENERAL.—Whenever a milestone decision authority authorizes a waiver of the requirement for prototypes under paragraph (1) or (2) of subsection (c) on the basis of excessive cost, the milestone decision authority shall submit a notice on the waiver, together with the rationale for the waiver, to the Comptroller General of the United States at the same time a report on the waiver is submitted to the congressional defense committees under paragraph (3) of that subsection.

(2) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after receipt of a notice on a waiver under paragraph (1), the Comptroller General shall—

(A) review the rationale for the waiver; and  
(B) submit to the congressional defense committees a written assessment of the rationale for the waiver.

(e) APPLICABILITY.—This section shall apply to any

**SA 1051.** Mrs. MCCASKILL (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 53, between lines 17 and 18, insert the following:

(c) REVIEW OF JOINT MILITARY REQUIREMENTS.—

(1) JROC SUBMITTAL OF RECOMMENDED REQUIREMENTS TO UNDER SECRETARY FOR ATL.—Upon recommending a new joint military requirement, the Joint Requirements Oversight Council shall transmit the recommendation to the Under Secretary of Defense for Acquisition, Technology, and Logistics for review and concurrence or non-concurrence in the recommendation.

(2) REVIEW OF RECOMMENDED REQUIREMENTS.—The Under Secretary for Acquisition, Technology, and Logistics shall review each recommendation transmitted under paragraph (1) to determine whether or not the Joint Requirements Oversight Council has, in making such recommendation—

(A) taken appropriate action to solicit and consider input from the commanders of the combatant commands in accordance with the requirements of section 181(e) of title 10, United States Code (as amended by section 105);

(B) given appropriate consideration to trade-offs among cost, schedule, and performance in accordance with the requirements of section 181(b)(1)(C) of title 10, United States Code (as amended by subsection (b)); and

(C) given appropriate consideration to issues of joint portfolio management, including alternative material and non-material solutions, as provided in Chairman of the Joint Chiefs of Staff Instruction 3170.01G.

(3) NON-CONCURRENCE OF UNDER SECRETARY FOR ATL.—If the Under Secretary for Acquisition, Technology, and Logistics determines that the Joint Requirements Oversight Council has failed to take appropriate action in accordance with subparagraphs (A), (B), and (C) of paragraph (2) regarding a joint military requirement, the Under Secretary shall return the recommendation to the Council with specific recommendations as to matters to be considered by the Council to address any shortcoming identified by the Under Secretary in the course of the review under paragraph (2).

(4) NOTICE ON CONTINUING DISAGREEMENT ON REQUIREMENT.—If the Under Secretary for Acquisition, Technology, and Logistics and the Joint Requirements Oversight Council are unable to reach agreement on a joint

military requirement that has been returned to the Council by the Under Secretary under paragraph (4), the Under Secretary shall transmit notice of lack of agreement on the requirement to the Secretary of Defense.

(5) RESOLUTION OF CONTINUING DISAGREEMENT.—Upon receiving notice under paragraph (4) of a lack of agreement on a joint military requirement, the Secretary of Defense shall make a final determination on whether or not to validate the requirement.  
On page 53, line 18, strike “(c)” and insert “(d)”.

On page 54, line 12, strike “(d)” and insert “(e)”.

**SA 1052.** Mrs. MURRAY (for herself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by her to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 207. EXPANSION OF NATIONAL SECURITY OBJECTIVES OF THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.**

(a) IN GENERAL.—Subsection (a) of section 2501 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) Maintaining critical design skills to ensure that the armed forces are provided with systems capable of ensuring technological superiority over potential adversaries.”.

(b) CERTIFICATION OF COMPLIANCE OF TERMINATION OF MDAPS WITH NATIONAL SECURITY OBJECTIVES.—Such section is further amended by adding at the end the following new subsection:

“(c) CERTIFICATION OF COMPLIANCE OF TERMINATION OF MAJOR DEFENSE ACQUISITION PROGRAM WITH OBJECTIVES.—(1) Upon the termination of a major defense acquisition program, the Secretary of Defense shall certify to Congress that the termination of the program is consistent with the national security objectives for the national technology and industrial base set forth in subsection (a).

“(2) In this subsection, the term ‘major defense acquisition program’ has the meaning given that term in section 2430 of this title.”.

**SA 1053.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

On page 63, line 11, insert “for special security agreements” after “to those required”.

**SA 1054.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; which was ordered to lie on the table; as follows:

On page 65, strike line 16 and all that follows through page 66, line 17, and insert the following:

system by providing for the consideration of prime contractors “make-buy” decisions in past performance evaluations.

**SA 1055.** Mr. BINGAMAN submitted an amendment intended to be proposed

by him to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; as follows:

At the end of title I, add the following:

**SEC. 106. CLARIFICATION OF SUBMITTAL OF CERTIFICATION OF ADEQUACY OF BUDGETS BY THE DIRECTOR OF THE DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER.**

Section 196(e)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) If the Director of the Center is not serving concurrently as the Director of Developmental Test and Evaluation under subsection (b)(2) of section 139c of this title, the certification of the Director of the Center under subparagraph (A) shall, notwithstanding subsection (c)(4) of such section, be submitted directly and independently to the Secretary of Defense.”.

**SA 1056.** Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 454, to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 2, add the following:

**SEC. 207. AMENDMENTS TO THE FEDERAL ACQUISITION REGULATION.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Federal Acquisition Regulatory Council established under section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a)) shall amend the Federal Acquisition Regulation issued pursuant to section 25 of such Act to clarify the relationship between certain programs of the Small Business Administration.

(b) CONTENT OF AMENDMENTS.—The amendments made pursuant to subsection (a) shall—

(1) reflect the interpretations of the Small Business Act (15 U.S.C. 631 et seq.) by the Administrator of the Small Business Administration relating to the order of precedence that applies when determining whether to satisfy a requirement under the Federal Acquisition Regulation through an award of a contract to—

(A) a small business concern, as that term is used in section 3 of the Small Business Act (15 U.S.C. 632);

(B) a HUBZone small business concern, within the meaning given that term under section 3(p)(3) of the Small Business Act (15 U.S.C. 632(p)(3));

(C) a small business concern owned and controlled by service-disabled veterans, as that term is defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)); or

(D) a small business concern that participates in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)); and

(2) include the amendments relating to socioeconomic program parity proposed by the Federal Acquisition Regulatory Council and published in the Federal Register on March 10, 2008 (73 Fed. Reg. 12699 et seq.).

(c) TECHNICAL CLARIFICATION.—Section 36(b) of the Small Business Act (15 U.S.C. 657f(b)) is amended by striking “may” and inserting “shall”.

## NOTICE OF HEARING

## COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, May 7, 2009, at 2:15 p.m. in Room 628 of the Dirksen Senate office building to conduct a hearing on the nomination of Larry J. Echo Hawk to be Assistant Secretary for Indian Affairs, U.S. Department of the Interior.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

## AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 6, 2009, at 9:30 a.m., to conduct a hearing entitled "Regulating and Resolving Institutions Considered 'Too Big to Fail'."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 9:30 a.m., to hold a hearing entitled "Engaging Iran: Obstacles and Opportunities."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 2:30 p.m., to hold a subcommittee hearing entitled "NATO Post-60: Institutional Challenges Moving Forward."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled "Oversight of the Department of Homeland Security," on Wednesday, May 6, 2009, at 10 a.m., in room SD-224 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON VETERANS' AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 9 a.m. The Committee will meet in room 418 of the Russell Senate office building beginning at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 2:30 p.m., in room 253 of the Russell Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON STRATEGIC FORCES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SPECIAL COMMITTEE ON AGING

Mr. LEVIN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate, on May 6, 2009, from 2 p.m.—4 p.m. in Hart 216 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that Eric Cho, a detailee on my Homeland Security and Governmental Affairs staff, be granted the privileges of the floor during the duration of the debate on this legislation S. 454.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that CAPT David Evans, of my staff, be granted the privilege of the floor for the remainder of the discussion of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 80, 85, 99, 100, 101, 102, 103, 104, 105, 106, 107, and all nominations on the Secretary's desk in the Foreign Service; that the nominations be con-

firmed en bloc, and the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Ronald C. Sims, of Washington, to be Deputy Secretary of Department of Housing and Urban Development.

## EXPORT-IMPORT BANK OF THE UNITED STATES

Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2013.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Yvette Roubideaux, of Arizona, to be Director of the Indian Health Service, Department of Health and Human Services, for the term of four years.

## DEPARTMENT OF HOMELAND SECURITY

Ivan K. Fong, of Ohio, to be General Counsel, Department of Homeland Security.

Timothy W. Manning, of New Mexico, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.

## DEPARTMENT OF THE TREASURY

Alan B. Krueger, of New Jersey, to be an Assistant Secretary of the Treasury.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

William V. Corr, of Virginia, to be Deputy Secretary of Health and Human Services.

## EXECUTIVE OFFICE OF THE PRESIDENT

Demetrios J. Marantis, of the District of Columbia, to be a Deputy United States Trade Representative, with the rank of Ambassador.

## DEPARTMENT OF STATE

Johnnie Carson, of Illinois, to be an Assistant Secretary of State (African Affairs).

Ivo H. Daalder, of Virginia, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Luis C. de Baca, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with rank of Ambassador at Large.

## NOMINATIONS PLACED ON THE SECRETARY'S DESK

## FOREIGN SERVICE

PN273 FOREIGN SERVICE nominations (7) beginning Gregory D. Loose, and ending Gregory M. Wong, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 2, 2009.

PN274 FOREIGN SERVICE nominations (154) beginning Laszlo F. Sagi, and ending Daniel E. Harris, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 2, 2009.

PN275 FOREIGN SERVICE nominations (224) beginning John M. Kowalski, and ending Jeremy Terrill Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 2, 2009.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.